

# Notice of Allowability

## Application No.

10/622,657

## Examiner

JASON K. GEE

## Applicant(s)

BOVO ET AL.

## Art Unit

2434

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief filed on 02/06/2009.
2. ☒ The allowed claim(s) is/are 1-3,6-10,13 and 14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

### THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 04/09/2009.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

**DETAILED ACTION**

1. This action is response to communication: appeal brief filed on 02/06/2009.
2. Claims 1 and 8 are independent claims.
3. No new IDS has been received since the previous Office Action.

**EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael J. Fogarty, III (42,541) on 04/09/2009.

The application has been amended as follows:

Claims 1 and 8 are amended. Claims 4, 5, 11, and 12 are cancelled.

1. A system for communicating monitoring in a mobile radio network comprising:  
a processing device coupled to multiple links in the mobile radio network, the processing device (i) determining from data transferred via the multiple links current deciphering parameters and (ii) deciphering the data using the current deciphering parameters to produce deciphered data;

a deciphering parameter providing device coupled to the processing device in which the current deciphering parameters are filed by the processing device to be available for another processing device upon request;

a deciphered data providing device coupled to the processing device for providing the deciphered data at an output for protocol analysis, or procedure trace to be performed on deciphered data;

wherein the processing device, deciphering parameter providing device and deciphered data providing device are distributed over different locations and are coupled together by a communication link;

**wherein the data includes both unciphered and ciphered data and the processing device comprises:**

**means for deciphering the ciphered data according to the current deciphering parameters; and means for combining the unciphered data and the deciphered ciphered data to produce an ordered data flow as the deciphered data;**

**wherein the combining means comprises a delay device for delaying the unciphered data while the deciphering means deciphers the ciphered data so the deciphered data is in the ordered data flow with the unciphered data.**

**Claims 4 and 5 have been cancelled.**

8. A method of communication monitoring in a mobile radio network comprising the steps of:

determining in a processing device from data transferred via multiple links of the mobile radio network coupled to the processing device current deciphering parameters;

deciphering in the processing device the data using the current deciphering parameters to produce deciphered data;

receiving by the processing device the current deciphering parameters in a deciphering parameter providing device coupled to the processing device so that the current deciphering parameters are available for another processing device upon request;

providing the deciphered data at an output of a deciphered data providing device coupled to the processing device;

performing protocol analysis, or procedure trace on the deciphered data;

wherein the processing device, deciphering parameter providing device and deciphered data providing device are distributed over different locations and are coupled together by a communication link;

**wherein the data includes both unciphered and ciphered data and the deciphering step comprises the steps of: deciphering the ciphered data according to the current deciphering parameters; and means for combining the unciphered data and the deciphered ciphered data to produce an ordered data flow as the deciphered data;**

**wherein the combining step comprises the step of delaying the unciphered data while the deciphering step deciphers the ciphered data so the deciphered data is in the ordered data flow with the unciphered data.**

**Claims 11 and 12 have been cancelled.**

***Allowable Subject Matter***

5. Claims 1-3, 6-10, 13, and 14 allowed.

The following is an examiner's statement of reasons for allowance: The applicants have distinguished their invention over the prior art of record through their persuasive and clear arguments. See Appeal Brief filed on 02/06/2009..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON K. GEE whose telephone number is (571)272-6431. The examiner can normally be reached on M-F, 7:00 am to 4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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